

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1578, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 through 3.
- 3 Page 4, delete lines 1 through 26, begin a new paragraph and insert:
- 4 "SECTION 1. IC 34-6-2-148.5 IS ADDED TO THE INDIANA
- 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2009]: Sec. 148.5. "Victim notification
- 7 capabilities" means, with respect to a GPS tracking device, the
- 8 ability of the device to do the following:
- 9 (1) Immediately notify law enforcement or other supervisory
- 10 personnel if the device enters a forbidden area.
- 11 (2) Notify the victim in real time or near real time if the device
- 12 enters a forbidden area.
- 13 (3) Allow a law enforcement officer or other supervisory
- 14 officer to contact the offender through a cellular telephone

1 **implanted in the GPS tracking device.**

2 **(4) Activate a loud alarm to warn others of the device's**
 3 **presence in a forbidden zone."**

4 Page 5, line 3, delete "require the respondent to wear a GPS
 5 tracking".

6 Page 5, delete lines 4 through 10.

7 Page 6, line 11, delete "(b)(2);" and insert "(i)".

8 Page 7, between lines 17 and 18, begin a new paragraph and insert:

9 **"(i) Upon a finding of a violation of an order for protection, the**
 10 **court may:**

11 **(1) require a respondent to wear a GPS tracking device; and**

12 **(2) prohibit the respondent from approaching or entering**
 13 **certain locations where the petitioner may be found.**

14 **If the court requires a respondent to wear a GPS tracking device**
 15 **under subdivision (1), the court shall, if available, require the**
 16 **respondent to wear a GPS tracking device with victim notification**
 17 **capabilities (as defined in IC 35-41-1-28.5).**

18 **(j) The court may permit a victim, a petitioner, another person,**
 19 **an organization, or an agency to pay the costs and expenses**
 20 **incurred in connection with the use of a GPS tracking device under**
 21 **subsection (i)."**

22 Page 7, delete lines 18 through 42.

23 Delete pages 8 through 12.

24 Page 13, delete lines 1 through 41.

25 Page 14, line 20, delete "as:" and insert **"as part of an order for**
 26 **protection;"**.

27 Page 14, delete lines 21 through 23.

28 Page 14, delete lines 34 through 42.

- 1 Page 15, delete lines 1 through 4.
- 2 Page 15, delete "(c)" and insert "**(b)**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1578 as introduced.)

and when so amended that said bill do pass.

Representative Pryor